

EXHIBIT C

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CARL G. SIMPSON AND BONNIE REED)
SIMPSON, CO-ADMINISTRATORS OF)
THE ESTATE OF CARL D. SIMPSON,)

Plaintiffs,)

vs.)

INTERMET CORPORATION, et al.,)

Defendants.)

Case No. C-1-00-0014

COPY

THE DEPOSITION OF JOHN ALLREAD,
produced, sworn, and examined on Tuesday, November 6,
2001, at 10:00 in the morning of that day, pursuant to
Federal Rules of Civil Procedure, Subpoena, and Notice to
Take Deposition at the offices of Court Reporting
Advantage, 2042-A South Brentwood, in the City of
Springfield, County of Greene, State of Missouri, before
Christine Richele, Certified Shorthand Reporter,
Registered Professional Reporter, Certified Court Reporter
#385, and Notary Public, in a certain cause now pending in
the United States District Court, for the Southern
District of Ohio, Western Division, wherein the parties
are as above set forth; taken on behalf of Defendant Hayes
Lemmerz International - Equipment & Engineering, Inc.

10:20 AM 1 Q Who was the safety engineer?

2 A I don't remember his name. Corporate guy. And, yes,
3 and he went through the entire installation, checked
4 it off, made sure everything was A-okay, as far as
10:20 AM 5 Internet corporate was concerned. We did determine
6 that, again, CMI had furnished the machines the way we
7 had specified the machines, with all the safety
8 lockouts, both hydraulically, pneumatic, and
9 electrical, that they were supposed to do. Those
10:21 AM 10 procedures were enforced, at least when I was there.

11 Q Do you know what company was involved with the
12 hydraulics on the machine?

13 A It was basically -- you know, it came with the
14 hydraulics that we had to hook all the -- you know, we
10:22 AM 15 had to hook it all up. And so there was a contract, a
16 piping contract that was, indeed, issued. Again, I
17 don't remember the name of that subcontractor, but it
18 was a local company out of either Ashland, Kentucky,
19 or in that area.

10:22 AM 20 Q It wasn't CMI who did the piping?

21 A No.

22 Q Did CMI provide a control panel for the Sutters?

23 A That would be our normal way of doing things. I don't
24 actually specifically remember if that's what -- if it
10:22 AM 25 was done that way, but that's how we would normally do

12:05 PM 1 guards.

2 A Yes.

3 Q When was it your understanding that the wire mesh

4 guards were to be incorporated into use on the Sutter

12:05 PM 5 machines at Ironton Iron?

6 A Again, I believe they were shipped with the machine

7 from CMI.

8 Q Okay.

9 A Now, we may have added and subtracted -- the Ironton

12:05 PM 10 people may have added or subtract from those guards

11 depending upon -- because the person who makes the

12 equipment does not necessarily understand how the

13 equipment will be used, and so sometimes it will be

14 changed.

12:05 PM 15 Q And you had also indicated that you were relying on

16 CMI to build the machine in accordance with the OSHA

17 regulations at that time when they were shipped?

18 A Standard on our purchase order will be they will

19 follow all state, federal regulations, local

12:06 PM 20 regulations. And as far as I know, CMI did that.

21 Q Because it's your understanding, if these machines

22 were shipped in 1991, '92, that -- would it be fair to

23 say that your understanding of OSHA requirements at

24 that time would require guards and also light curtains

12:06 PM 25 if applicable for --

12:55 PM 1 respect to ensuring that things are running safely on
2 machines; is that a fair assumption on my part?

3 A I attempt to, yes.

4 Q All right. I'm going to ask you to assume that a
12:56 PM 5 sticker was involved on this machine on this
6 particular day. And first of all, are you familiar
7 with a sticker, what a sticker is?

8 A Yes.

9 Q What is a sticker?

12:56 PM 10 A A sticker is when the blow tubes -- you know, when
11 you've got them full of sand and you've got to go in
12 there and clean them out. Otherwise, you get a soft
13 spot on the mold.

14 Q Okay. Have you ever seen a sticker being knocked out
12:56 PM 15 by someone during the operation of the machine?

16 A Yes, I have.

17 Q I'm going to ask you to assume that a sticker had
18 occurred and the helper, Carl Simpson, got in to fix
19 the sticker after the machine was appropriately locked
12:56 PM 20 out. I'm going to also ask you to assume that he then
21 handed his lock to the operator and said go ahead and
22 unlock and re-energize the machine.

23 A Handed his key?

24 Q Yes. And said go ahead and re-energize the machine.
12:56 PM 25 I'm done with pounding out the sticker. At which